

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SHARYN MCPHERSON and RICHARD  
MCPHERSON, individually and as a marital  
community

Plaintiffs,

v.

GENERAL ELECTRIC COMPANY, a  
corporation, et al.,

Defendants.

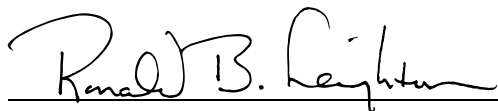
No. C05-5775RBL

ORDER DENYING  
PLAINTIFFS' MOTION  
FOR FEES ON REMAND

This matter is before the court on the Plaintiffs' Motion for Attorneys' Fees and Costs on Remand [Dkt. 21]. Plaintiff seeks approximately \$5500 under 28 U.S.C. §1447(c). Plaintiffs correctly cite *Martin v. Franklin* 126 S. Ct. 704 (2005) for the proposition that fees are to be awarded "only where the removing party lacked an objectively reasonable basis for seeking removal."

Defendants claim that their removal was reasonable (even correct) and that fees should not be awarded. The Court agrees that Defendants' removal was not without an objectively reasonable basis and that fees are not warranted in this case. For that reason, the Plaintiffs' Motion for Fees [Dkt. 21] is DENIED. Plaintiffs' Motion for Leave to File an Amended Reply Brief [Dkt 29] is DENIED as moot.

DATED this 20<sup>th</sup> day of June, 2006.



RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE